



MEMORANDUM

Agenda Item No. 7(G)(1)(B)

TO: Honorable Chairperson Barbara
Carey-Shuler, Ed.D. and Members,
Board of County Commissioners

DATE: January 20, 2004

FROM: George M. Burgess
County Manager

SUBJECT: Resolution Authorizing the
County Manager or his Designee
Through the Miami-Dade Housing
Agency to Form a Task Force to
Study and Make
Recommendations on the
Creation of Group Homes

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) authorize the County Manager or his designee through Miami-Dade Housing Agency (MDHA) to form a task force to study and make recommendations on the creation of group homes for persons displaced due to government action.

BACKGROUND

This resolution is in response to the report regarding public housing vacancies presented to the commission on May 7, 2003 regarding low-income persons subject to being displaced due to government action and the development of group homes to be constructed on County-owned land or existing structures. It is recommended that the term group home be used in a broader sense of a living environment to ensure the proposed use of group homes for displaced persons regardless of age and/or disability or lack thereof. The establishment of group home, whether by converting foreclosed properties, existing structures or new construction on County owned land is a long-term solution, which could assist displaced persons.

The task force will assist MDHA in developing recommendations for the report to the BCC of the need for this alternative housing for the community. Within 120 days of the final meeting of the task force a report will submitted to the BCC detailing the recommendations.

The proposed task force should include a cross section of the community such as representatives from the County housing, zoning and regulatory departments, elderly and adult protective services workers, aging service providers, mental health professionals, law enforcement personnel and legal and medical professionals. The taskforce members will serve as advocates for the necessity of type of housing and assist the BCC in the formulation of policy. Task force members should include persons who are qualified to identify and seek available funds if needed.

Presently, Orange County, Florida has established group homes. Orange County rehabilitated existing structures (hotels) for group homes as housing for displaced persons and minimum wage service industry workers.

Assistant County Manager
Tony E. Crapp, Sr.



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: January 20, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(G)(1)(B)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 7(G)(1)(B)

1-20-04

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE COUNTY
MANAGER OR HIS DESIGNEE THROUGH THE
MIAMI-DADE HOUSING AGENCY TO FORM A TASK
FORCE TO STUDY AND MAKE
RECOMMENDATIONS ON THE CREATION OF
GROUP HOMES

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the County Manager or his designee through the Miami-Dade Housing Agency to form a task force to study and make recommendations on the creation of group homes, as set forth in the attached memorandum.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson
Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro

Betty T. Ferguson

Joe A. Martinez

Dennis C. Moss

Natacha Seijas

Sen. Javier D. Souto

Jose "Pepe" Diaz

Sally A. Heyman

Jimmy L. Morales


Dorrin D. Rolle

Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of January, 2004. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency. 

Terrence A. Smith

By: _____
Deputy Clerk



Miami-Dade Legislative Item

File Number: 021285

File Number: 021285 **File Type:** Report **Status:** Presented
Version: 0 **Reference:** **Control:** County Commission
File Name: MIAMI-DADE HOUSING AGENCY'S PUBLIC HOUSING VACANCIES **Introduced:** 5/2/2002
Requester: County Manager **Cost:** **Final Action:** 5/7/2002
Agenda Date: 5/7/2002 **Agenda Item Number:** 12A3
Notes: Title: MIAMI-DADE HOUSING AGENCY'S VACANCIES IN THE PUBLIC HOUSING PROGRAM [SEE AGENDA ITEM NO. 15B2]
Indexes: PUBLIC HOUSING **Sponsors:** NONE
Sunset Provision: No **Effective Date:** **Expiration Date:**
Registered Lobbyist: None Listed

Legislative History

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned	Pass/Fail
Board of County Commissioners	5/7/2002	12A3	Presented				
REPORT: See Agenda Item 15B2 -- Legislative File Number 021246 for discussion regarding vacancies in public housing.							
County Manager	5/3/2002		Assigned	Barbara Jordan	5/3/2002	5/3/2002	
REPORT: ITEM PRCSO TO PRNT- TLO/EG 5/3/2002							

Legislative Text

HEADER

TO: Honorable Chairperson and Members DATE:
Board of County Commissioners

SUBJECT: Report Regarding Miami-Dade Housing Agency's

FROM: Steve Shiver Vacancies in the Public Housing Program
County Manager

BODY

This serves to provide a status report regarding Miami-Dade Housing Agency's (MDHA) vacancies in the Public Housing Program.

MDHA currently has 1,350 vacant units, of which approximately 50% or 609 are ready for immediate occupancy. Of the total 1,350, there are approximately 100 that can not be counted in MDHA's inventory because these will not be coming back on line due to HOPE VI, and the remaining units (641) will be repaired based on absorption rate.

There are major factors that have resulted in the increase of vacant units. First, units became available with the onset of the implementation by MDHA of the Consent Decree (Decree), which was entered on October 28, 1998 against Miami-Dade County in the class action suit, Adker, et al. v. United States Department of Housing and Urban Development and Miami-Dade County (Adker). The Decree was a result of 12 years of litigation against the County, in which the Plaintiffs asserted that the County violated fair housing and civil rights laws in its administration of its housing programs, including Section 8 and public housing. As such, the Decree orders the County to desegregate all of its housing programs that come within County control. In an effort to desegregate the County's housing programs, the Decree, requires that the County, through MDHA, issue to mobility pool members (the class) (i.e. all past, present and future Black public housing residents) 50% of all turnovers of Section 8 vouchers with the remaining 50% to be issued to those qualified applicants on MDHA's waiting list. Since 1999, MDHA has issued close to 600 vouchers to the class, who are families living in public housing. This reflects a significant increase in the usage of Section 8 vouchers by African American families and has assisted in the expansion of these families' housing choices through the use of Section 8 vouchers. However, as a result of this exodus from public housing additional vacancies were created.

Second, the process of opening the waiting list was complicated as a result of the Decree and the requirement that the County seek approval from the United States Department of Housing and Urban Development (USHUD), prior to reopening its waiting lists (i.e. project-based and tenant based waiting lists), which would occur once there are insufficient applicants remaining on other waiting list to make offers. However, USHUD did not immediately allow MDHA to open the waiting list, despite the fact that the existing waiting list at the time had been depleted. Due to this delay, MDHA's vacancies increased from less than 300 in 1999 to over 1,000 in 2001 (see attached chart). Finally, after nine months of negotiations with USHUD, MDHA was authorized to open the waiting lists. As a result of the opening of the waiting lists in March 2001, MDHA received approximately 64,000 applications.1

Third, Adker further complicates MDHA's ability to fill its public housing vacancies because following the first 15 days after a unit becomes ready for occupancy, MDHA must make exclusive offers to those applicants (i.e. at least five applicants) whose race does not predominate at the public housing development (i.e. public housing developments in which the black population is less than 35% or more than 65%). Thereafter, offers are made to those applicants who applied for public housing prior to the entry of Decree, and if none exist, then to those applicants on MDHA's project-based waiting list.

Experience indicates that most of these offers are rejected. The minimum time it takes for the desegregative offer process to be completed is approximately three months, plus the timeframe for the applicant to begin and complete the placement process, approximately an additional 30 to 60 days. Previous efforts by MDHA to streamline the process has included: (1) Requesting to except elderly

units from the desegregative offers requirement, (2) Requesting that any units vacant at the time the new waiting list was implemented be excluded from the desegregative offers requirement, and (3) Due to the geography of Miami-Dade County, MDHA is experiencing, particularly with people who reside in the central area of Dade County, that they will not accept a unit either down south or in the north area. As a result, Honorable Chairperson and Members units have to be offered multiple times before it is accepted by an applicant. This contributes to the time a unit is vacant. To be able to address this issue, MDHA requested to maintain a site-based waiting list for the public housing program. All of these recommendations were not acceptable based on the Decree. The County Attorney's Office and the attorneys with USHUD and the Department of Justice continue to negotiate with the Plaintiffs' attorneys in an effort to address many of the concerns raised by the implementation of the Decree.

Finally, as a result of HOPE VI, one sector of Scott Homes/Carver is almost empty, and MDHA is scheduling two more sectors to be emptied by this summer. This affects the number of units that are available and vacant for occupancy by those eligible applicants on the waiting lists, since MDHA has to maintain vacant units to accommodate HOPE VI displacees who may choose to relocate to an existing public housing unit and who are given first priority.


It is important to note, MDHA is in the process of developing other affordable housing programs to increase the production of affordable housing units. To this end, MDHA recently submitted several BCC agenda items:

1. Resolution identifying and transferring \$6 million to the MDHA Development Corporation for the construction of deep subsidy housing.
2. Working in conjunction with Miami-Dade Transit, MDHA has identified two Park and Ride sites that will be developed to include affordable housing for the elderly.
3. The BCC approved the construction of 100 units for the frail elderly at Smathers' Plaza. MDHA is requesting funds from the State.
4. Resolution seeking BCC approval to recycle an obsolete public housing development in the north end, which will be a joint development between the MDHA Development Corporation and a faith-based initiative.
5. MDHA is looking into the possibility of entering into a joint agreement with a not-for-profit organization and the MDHA Development Corporation to build a Section 202 HUD elderly and disabled development for 100 units.

In closing, MDHA is one of the highest producers of affordable housing in the nation. Through the Surtax, SHIP and HOME funds, thousands of units are developed every year for low and moderate income families. Additionally, in fiscal year 2001, MDHA's Public Housing Program was rated High Performer by USHUD.

Attachment

1 The majority of the applicants on the waiting list will not receive a housing assistance offer because the Decree requires that the waiting list be dissolved approximately two years after it is opened. This means that those families who applied in March will have to do so again when MDHA reopens the waiting lists again next year.

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